

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG**

DALE BERNARD BEARD, JR.,

Plaintiff,

vs.

Civil Action No. 3:23-CV-193(Groh)

**DANIEL E. SMITH, individually
ADAM ALBAUGH, individually,**

Defendants.

NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that the undersigned counsel will take the deposition of **Daniel E. Smith** on **Thursday, August 29, 2024, beginning at 1:00 p.m.**, before a certified court reporter or officer authorized by law to take depositions in the State of West Virginia. The depositions will take place in person at the following location:

**Pullin, Fowler, Flanagan, Brown & Poe, PLLC
261 Aikens Center
Suite 301
Martinsburg, West Virginia 25404**

The examination will continue until such time as it is completed. The deposition is being taken for the purposes of discovery, for use at trial, or for such other purposes as are permitted under the Rules of the Court.

Dale Bernard Beard, Jr.,
By Counsel

/s/ John H. Bryan
John H. Bryan, State Bar ID # 10259
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CERTIFICATE OF SERVICE

I, John H. Bryan, do hereby certify that I have delivered a true copy of the foregoing NOTICE OF DEPOSITION, upon counsel of record by using the CM/ECF System, this the 25th day of July, 2024, and addressed as follows:

Keith Gamble, Esq.
Pullin, Fowler, Flanagan, Brown & Poe, PLLC
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Counsel for Defendants

/s/ John H. Bryan

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